



**Landmark Preservation Board
Thursday, January 20, 2011**

Meeting Minutes

8:30 am Common Council Chambers

CALL TO ORDER

Chairman Don Radke called the meeting to order at 8:30 a.m.

ROLL CALL

Members Present: Louise Birkhead, Tim Bonaparte, Kelly Colabello, Fouad Dietz, Bob Haley, Dan Leary, Don Radke, Jeff Romano

Excused: Julia Marshall

Staff: Kate Auwaerter

APPROVAL OF MINUTES

J. Romano made a motion to accept the minutes, which was seconded by T. Bonaparte. The minutes were approved unanimously as submitted.

OLD BUSINESS

Steel Window Replacement Policy: Finalize. In discussion, B. Haley presented his revisions to the draft document circulated by K. Auwaerter (dated January 14, 2011). Revisions to the introductory paragraphs included a clarification regarding the typical paint color of steel windows (black, gray or a dark color); modification in the paragraph describing the issues property owners face with deteriorating steel windows; and the insertion of language regarding storm windows. Under the Review Policy and Procedures section, he revised the first paragraph to strengthen the statement regarding window survey. He also made the completion of a window survey "Step 1" in the review process. For the new "Step 4" (former Step 3), he recommended the following language:

If replacement in-kind is not feasible as determined by the board, the board may consider replacement windows that are appropriate to the design, pattern and profiles of the original windows. Appropriate replacement materials for original steel windows may include traditional steel, bronze, lead or wood.

Modern materials may include aluminum and fiberglass. Vinyl is not appropriate.

B. Haley recommended this language because it places the "acceptable" materials into traditional and modern categories and it also allows for a statement about vinyl. He made a strong argument to include fiberglass under the category of acceptable modern materials noting that, like aluminum, it is modern material but made of natural (silica) materials. He also emphasized that fiberglass is a sustainable, LEED certified material, which vinyl is not. The board discussed the specific inclusion fiberglass. F. Dietz suggested that fiberglass might be an acceptable material but urged the board not to list it specifically. A number of the board members expressed concern that listing specific modern materials would lead applicants to those materials first when traditional materials are generally preferable. D. Leary recommended that the board remain open to new technologies and materials, noting that fiberglass was not a new material. D. Radke recommended that no modern materials be listed, but rather include language that "other materials" would be considered on a "case-by-case basis". This question remained open.

The board also discussed the review process, with D. Leary urging that it be clear that the board will evaluate the condition of the windows (based a window survey) and make a determination if the condition of the windows warrants the approval of the Certificate of Appropriateness. The evaluation should not be

left up to the applicant. D. Radke requested that the board members review the revised policy and get comments to staff ASAP.

CA-10-18: 1666 James Street (steel window replacement). This application was held open.

CA-10-20: 409 Sedgwick Drive (wood window replacement). This application was held open.

CA-11-01: 901 Rugby Road (steel window replacement). This application was held open.

NEW BUSINESS

Special Permit: 229-37 W. Fayette Street (new sign). The board had no issue with the size and scale of the proposed sign. It requested that it be installed to either side of the doorway, not over the doorway as indicated in the images provided. It also recommended that the sign be mounted to the storefront frame rather than into the building face which would cause permanent damage to the building.

DISCUSSION

Quartier Building Demolition. D. Radke reported that he, B. Haley and K. Auwaerter had met with Deputy Commissioner Ben Walsh, Nancy Larson and others to discuss the Quartier Building. Nancy Larson explained that the settlement process between the City and the owner had never been completed. After the City lost its case and the court remanded the decision back to the LPB, the LPB had selected a subcommittee (D.Radke, B. Haley and D. Leary) to recommend appropriate screening to mitigate the loss of the building. Although a draft concept had been developed, the owner never submitted a finalized screening plan because of other issues that he had with access to his parking lot from E. Onondaga Street. The owner was now moving to complete the settlement with the City so that the demolition can move forward. N. Larson explained that the process required the LPB to approve a Certificate of Appropriateness for the demolition along with the proposed screening plan. The board authorized the same three members of the subcommittee to work with the owner on the plan. F. Dietz asked if there was any possibility of saving the building. D. Radke noted the one proposal for a rehabilitation that had fallen through when a state grant was not awarded to the project. N. Larson reminded the board of the legal issues surrounding the project and the constraints the lawsuit had placed on the City. D. Leary mentioned that he had been made aware of a conversation between the property owner and his representative and that the owner had not ruled out the possibility of saving the façade. D. Radke recommended that Deputy Commissioner Walsh should be informed of this. F. Dietz stated that the board should make clear its desire to save the building. N. Larson informed the board that should it deny the application, it would end back in the same court that overturned the denial in the first place. The board agreed to await the demolition application.

Interior Designations. D. Radke noted that it had come to the board's attention that the local preservation ordinance allowed for the designation of interiors only if the interiors were accessible to the public. Churches and the Landmark Theater fell under this category. However, the Skoler House and the Alton Simmons house (309 Van Rensselaer), which are private residences, do not. It was agreed that "open to the public" could be as simple as advertising and holding an open house once a year or allowing access by appointment with the owner. N. Larson agreed that this could be the policy of the board, but that the property owners would have to agree. She recommended that the board write a letter to the owners of the Skoler House and 309 Van Rensselaer to explain the situation and ask for their approval. Change in ownership would require the same agreement from the new owner. D. Radke noted the need for a disclosure statement signed by the buyer and seller at every transfer of title that would include all information about zoning, historic designation, codes, etc. so that neither the seller or the buyer could claim that he/she did not know what types of restrictions were placed on the property. It would require a city ordinance passed by Common Council. D. Radke asked N. Larson to determine that such a disclosure form would be allowable under state law. He also asked her to investigate interior designations and

specifically what would happen if a property that had a publically accessible, designated interior went into private hands and was no longer accessible.

Ronald McDonald House. D. Radke reported that he and K. Auwaerter were asked to a meeting to discuss the Ronald McDonald House. The organization is close to reaching its fundraising goal and hopes to be building in the spring. The project will require a project site review and so it come before the LPB for review and comment. D. Radke noted that the architects had responded to the LPB's original concern regarding the scale of the proposed building.

NR Nomination: Huntley Apartments (407-409 Stolp Avenue) K. Auwaerter introduced the National Register Nomination for the Huntley Apartment Building on Stolp Avenue. The SHPO was seeking comment from the LPB before the nomination goes to the state board. The building was constructed in 1928 and was built to cater to middle-class families. It is eligible for the National Register under Criteria A and C. Its one unique feature is the attached heated garage. J. Romano noted he believed there was another apartment building with garage of a similar vintage on W. Genesee Street (the Frontenac). K. Auwaerter said she would let the SHPO know. Otherwise, the board was in favor of the nomination and requested that staff write a letter to the SHPO to that effect.

Kelly Colabello resignation. K. Colabello noted that this would be her final meeting. The board thanked her for her service and wished her luck.

ADJOURN

F. Dietz made a motion to adjourn which was seconded by J. Romano. The meeting adjourned at 9:27 a.m.